

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BERNARD HARDRICK,

Plaintiff,

v.

REGINA JENKINS-GRANT, ET AL.,

Defendants.

Case No. 20-cv-12258

U.S. District Court Judge
Gershwin A. Drain

**ORDER ACCEPTING and ADOPTING REPORT AND
RECOMMENDATION (ECF NO. 28) AND DENYING DEFENDANTS'
MOTION FOR PARTIAL SUMMARY JUDGMENT (ECF NO. 21)**

On June 19, 2020, *pro se* Plaintiff Bernard Hardrick initiated this civil rights action against Michigan Department of Corrections (“MDOC”) employees Regina Jenkins-Grant, Julie Tolley, John Doe “Transfer Coordinator,” Brannon Frieburger, and John Doe Sergeant. ECF No. 1. Plaintiff, who is currently incarcerated, alleges he was improperly transferred, terminated from his employment, and subject to an improper search in retaliation for exercising his First Amendment rights by filing a grievance against a correctional officer who is not a party to this action. *Id.*

This matter is presently before the Court on Defendants' Motion for Partial Summary Judgment (ECF No. 21). The Motion is fully briefed (ECF Nos. 22, 24), and the Court referred it to Magistrate Judge David R. Grand for resolution (ECF No. 26). Magistrate Judge Grand issued a Report and Recommendation on January 31, 2022, recommending that the Court deny Defendants' Motion. ECF No. 28. Neither party has filed objections to the Magistrate Judge's Report and Recommendation, and the time for doing so has expired. *See* 28 U.S.C. § 636(b)(1)(C).

Upon review of the parties' briefing, the record, and the Report and Recommendation, the Court determines that the Magistrate Judge reached the correct conclusion. Therefore, the Court will accept and adopt Magistrate Judge Grand's January 31, 2022 Report and Recommendation (ECF No. 28) as this Court's findings of fact and conclusions of law. The Court will thus deny Defendants' Motion for Partial Summary Judgment (ECF No. 21).

Accordingly, **IT IS HEREBY ORDERED** that the Court **ACCEPTS** and **ADOPTS** Magistrate Judge Grand's January 31, 2022 Report and Recommendation (ECF No. 28) as this Court's findings of fact and conclusions of law.

IT IS FURTHER ORDERED that Defendants' Motion for Partial Summary Judgment (ECF No. 21) is **DENIED**.

IT IS SO ORDERED.

s/Gershwin A. Drain

GERSHWIN A. DRAIN

UNITED STATES DISTRICT JUDGE

Dated: March 4, 2022

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on
March 4, 2022, by electronic and/or ordinary mail.

/s/ Teresa McGovern

Case Manager